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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,815	01/31/2001	William T. Carpenter	P01426US2	8585
26271 7590 01/30/2007 FULBRIGHT & JAWORSKI, LLP 1301 MCKINNEY SUITE 5100 HOUSTON, TX 77010-3095			EXAMINER KRECK, JOHN J	
			ART UNIT 3673	PAPER NUMBER
			MAIL DATE 01/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/773,815

EXAMINER
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ART UNIT	PAPER
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20070125

DATE MAILED:

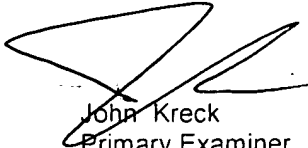
Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

A requirement for information under 37 CFR 1.105 is attached. See MPEP 704.

A shortened statutory period of two (2) months is provided.

ATTACHMENTS: Requirement for Information  
Notice of References Cited PTO-892

  
John Kreck  
Primary Examiner  
Art Unit: 3673

The amendment dated 11/13/06 has been entered.

Claims 11-20 are pending.

### **Requirement for Information**

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

The examiner has determined that answers to two questions (see Q1 and Q2 below) are required to properly examine the claimed invention.

The examiner has also determined that information concerning publications and/or prior art related to the development of the claimed subject matter is required (see 2 below) to properly examine the claimed invention.

1. In response to this requirement, please provide answers to each of the following two interrogatories eliciting factual information:

The first question relates to the meaning of newly added claim limitations. See MPEP704.11(a)(S) (4).

Claim 11 recites "orientation of the axis of rotation of a planet".

Q1: Does the "orientation of the axis" refer to (a) the orientation of the axis of the planet relative to inertial space; or (b) orientation of the axis with respect to the crust of the planet? See the cited article on "Geodesy", particularly the second sentence under

"Earth motions" on page 3. This information is necessary to properly construe the claims in order to search for relevant prior art.

The second question relates to the specific utility provided by the claims. See MPEP704.11(a)(S) (6).

A "specific utility" is specific to the subject matter claimed and can "provide a well-defined and particular benefit to the public." In re Fisher, 421 F.3d 1365, 1371, 76 USPQ2d 1225, 1230 (Fed. Cir. 2005).

Claim 11 recites "modifying the orientation of the axis of rotation of a planet".

Q2: What is the well defined and particular benefit to the public provided by modifying the orientation of the axis of rotation? This information is necessary to properly evaluate the claims for compliance with the utility requirement of 35USC101.

2. In response to this requirement, please provide the title, citation and copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing the steps of (a) selecting a desired orientation of the axis of rotation; (b) calculating a moment of stability; and (c) determining a position and mass. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met

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by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

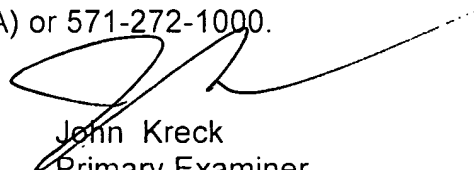
This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of two (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Kreck whose telephone number is 571-272-7042. The examiner can normally be reached on Mon-Thurs 530am-2pm; Fri: telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on 571-272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John Kreck  
Primary Examiner  
Art Unit 3673

25 January 2007